

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

| | | |
|--------------------------------|---|-------------------------------|
| Elizabeth Gail Whitfield, |) | C.A. No. 8:10-cv-1116-RBH-BHH |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| Ron Harkins and South Carolina |) | CONSENT ORDER |
| Department of Social Services, |) | |
| |) | |
| Defendants. |) | |
| |) | |

Defendant Ron Harkins filed a motion to dismiss the claims asserted against him on the ground that, under controlling Fourth Circuit precedent, he is not subject to suit individually under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* Plaintiff acknowledges that Harkins' motion to dismiss is well-founded under Lissau v. Southern Food Service, Inc., 159 F.3d 177 (4th Cir. 1998) and Baird v. Rose, 192 F.3d 462 (4th Cir. 1999), and consents to the dismissal of the Title VII claims against Harkins and to the dismissal of Harkins as a named party to this action.

Now, therefore, with the consent of the parties, Defendant Harkins' motion to dismiss is granted and Ron Harkins is dismissed as a party to this action without prejudice. The caption of the case shall be amended to reflect the dismissal of Harkins as a party defendant, and this action shall proceed against Defendant South Carolina Department of Social Services only.

AND IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

June 10, 2010

WE SO MOVE AND CONSENT:

s/ William N. Epps, III

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